

CITY OF LEWISTON
PLANNING BOARD MEETING
Monday, July 13, 2015 – 5:30 P.M.
City Council Chambers – First Floor
Lewiston City Building
27 Pine Street, Lewiston, ME

AGENDA

I. ROLL CALL

II. ADJUSTMENTS TO THE AGENDA

III. CORRESPONDENCE

IV. PUBLIC HEARINGS:

- a) A proposed amendment to Zoning and Land Use Code with respect to Appendix A, Article V. Administration and Enforcement and Article VI. Nonconformance of the Code of Ordinances of the City of Lewiston.

V. OTHER BUSINESS:

- a) Continuation of the 2/26 Oxford Street acquisition
- b) Discussion regarding dormitories (permitted or conditional use)
- c) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

VI. READING OF THE MINUTES: Motion to adopt the April 27, 2015 and June 22, 2015 draft minutes

VII. ADJOURNMENT



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: July 2, 2015
RE: July 13, 2015 Planning Board Agenda Item IV(a)

A proposed amendment to Zoning and Land Use Code with respect to Appendix A, Article V. Administration and Enforcement and Article VI. Nonconformance of the Code of Ordinances of the City of Lewiston.

At request of the City Council, staff has drafted a zoning and land use amendment to permit the division of Franklin Property Trust land consistent with the Franklin Property Trust, LLC and the City of Lewiston agreement dated December 16, 2014. The agreement states that if the City's current zoning ordinance does not permit subdivision pursuant to the plan or if the Planning Board denies FT's application, Code Enforcement and the City Administrator will propose an amendment to the City's zoning ordinance to allow the subdivision and will diligently pursue the adoption of such amendment. Currently, it is not possible to divide a number of such lots given use, space and bulk, and parking standards; therefore, an amendment to the Code has been requested.

The proposed amendments will add the requisite provisions to permit the division of lots created before the enactment of State subdivision law that contain more than one principal structure to individual house lots limited to single-family detached dwellings, two-family dwellings and three-unit multifamily dwellings. The proposed changes will also relax provisions regarding the replacement of nonconforming single-family detached dwellings, two-family dwellings and three-unit multifamily dwellings.

Reference should be made to Director of Planning and Code Enforcement, Gil Arsenault's memos to the Mayor and Council dated June 4th and 11th, 2015.

On June 16, 2015 the Council voted unanimously in support of the proposed amendment at their first reading. The Council is now awaiting the Planning Board's recommendation which they are scheduled to act upon at their July 14, 2015 meeting.

ACTION NECESSARY:

- Make a motion pursuant to Article VII, Section 4(h) and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to adopt a proposed amendment to Article V. Administration and Enforcement and Article VI. Nonconformance of the Code of Ordinances of the City of Lewiston (subject to possible conditions raised by staff or the Planning Board).

AN ORDINANCE PERTAINING TO THE DIVISION OF LOTS AND THE RECONSTRUCTION OF RESIDENTIAL BUILDINGS

THE CITY OF LEWISTON HEREBY ORDAINS:

Appendix A of the code of ordinances of the City of Lewiston, Maine is hereby amended as follows:

Article V. Administration and Enforcement

Sec. 3. General provisions.

- (a) All buildings and other structures shall be so located and arranged on lots as to provide safe and convenient access for fire protection, servicing and off-street parking and loading located on the premises. No building or structure may be constructed or erected on any lot which does not have at least fifty (50) feet of frontage or twenty-five (25) feet of frontage for lots located in the Centreville and Mill Districts.

However, lots of record that existed prior to December 9, 1987, which were legally established having less than fifty (50) feet of frontage, may apply for a variance pursuant to Article VIII, section 4(2) of this Code in order to have a building or structure constructed or erected on said lot.

...

- (c) No division of land shall be made whereby any lot created thereby is smaller ~~that~~ than the minimum size required for the district in which said lot is located, or has less frontage, setback or yard space that the minimum required, except as provided by Article VI and subsections (w) and (z), below.

In addition, the following criteria apply to the creation of all lots unless demonstrated adequately to the reviewing authority that the application of one (1) or more of the following criteria is not practical:

- (1) If a lot on one (1) side of a stream, road, or other similar barrier fails to meet the minimum lot size required by the zoning ordinance, it may not be extended to the other side of the barrier to meet the minimum lot size or for the purposes of individual, on-site waste disposal.
- (2) Lots in which parcels of land such as narrow strips are used or are joined to other parcels to meet minimum lot size or frontage requirements, or other reconfiguration of parcels which create irregular-shaped lots (examples of such lots are illustrated in the Site Plan Review Ordinance and Design Guidelines) are prohibited.

- (3) For all proposed lots the lot width shall be at least equal to the minimum frontage requirement.
 - (4) All proposed lots must be able to completely contain within its boundaries an area as would be defined by a circle with minimum diameter equal to the required minimum frontage for the district.
 - (5) To the extent possible, lots will be oriented in order to make maximum use of direct sunlight and where feasible, side lot lines shall be at right angles to street lines (or radial to curving street lines.)
- (e) Except as provided in subsection w and z below, no lot may be reduced in size if, as a result, the setbacks, yards, or other open spaces are smaller than prescribed by this Code. No setback, yard, or other open space may be counted as required open space for more than one (1) building.
- ...
- (z) Notwithstanding Appendix A, Article XI Section 23 of this Code, single lots developed with three or more principal structures in residential use, at the time of the division, may be divided to create new lots for each of the individual principal structures in residential use, provided that the following provisions can be met and satisfied:
1. All principal residential structures on the lot to be divided were constructed prior to the enactment of State Subdivision Law (i.e. September 23, 1971).
 2. All principal residential structures on the lot to be divided are single-family detached dwellings, two-family dwellings and three-unit multifamily dwellings.
 3. All new lots must, to the greatest extent practicable, comply with the applicable space and bulk requirements of Appendix A, Article XI Section 23 of this Code. Whether the new lots meet this standard shall be in the reasonable judgment of the code enforcement director, whose approval shall be required.

Article VI. Nonconformance

Sec. 3. Nonconforming structures

...

- (b) *Reconstruction.* A nonconforming structure which is damaged or destroyed by fire, flood, lightning, wind, structural failure or any other cause to an extent less than 80 percent of the market value of the structure at the time of such damage or destruction may be reconstructed. as it existed; The reconstructed structure need not comply with the space and bulk regulations of the district in which it is located, Article VI, Section 2, or Article

XII, Section 17(d), but shall be the same size or less than the previous structure, and comply with all other requirements of this Code.

but if the damage equals or exceeds A nonconforming structure, other than a single-family detached dwelling, two-family dwelling, or three-unit multifamily dwelling, that is damaged or destroyed by fire, flood, lightning, wind, structural failure or any other cause to an extent of 80 percent or more of the market value, it may be reconstructed only in conformance with space and bulk regulations of the district in which it is located.

A nonconforming single-family detached dwelling, two-family dwelling, or three-unit multifamily dwelling damaged or destroyed by fire, flood, lightning, wind, structural failure or other cause to an extent of 80 percent or more of the market value of the structure at the time of such damage or destruction may be reconstructed. The reconstructed structure need not comply with the space and bulk regulations of the district in which it is located, Article VI, Section 2, or Article XII, Section 17(d), but shall be the same size or less than the previous structure and comply with all other requirements of this Code. Any reconstruction permitted by this subsection shall begin within one year and be completed within two years of the date of such damage or destruction. The board of appeals may extend the period for reconstruction upon a showing that work could not begin or be completed for reasons outside the control of the owner. The request to the board must be filed before the expiration of the applicable time and not more than a one year extension shall be granted.

- (1) A residential structure which is located in a shoreland area and is nonconforming because it; (a) does not meet the current space and bulk standards of the zoning district; or (b) does not meet the shoreline setback as outlined under article XII, subsection 2(d)(1), and which is damaged or destroyed by 50 percent or less of the market value of the structure before such damage or destruction, excluding normal maintenance or repair, may be reconstructed, in place, as it existed. However, if the structure is removed, or damaged or destroyed by more than 50 percent of the market value of the structure before such damage or destruction, it may be reconstructed or replaced, provided that a permit is obtained within one year of the date of said removal, damage or destruction, and that such reconstruction or replacement is in compliance with the water setback requirement to the greatest practical extent as determined by the code enforcement director. In no case shall a structure be reconstructed or replaced so as to increase its nonconformity.
- (2) In determining whether the building enlargement, reconstruction or replacement meets the setback requirements, as outlined under article XII, subsection 2(d)(1), to the greatest practical extent, the following criteria shall be considered:
 - a. The size of the lot;
 - b. The slope of the land;

- c. The potential for soil erosion;
- d. The location of other structures on the property and on adjacent properties;
- e. The location of the septic system, and other on-site soils suitable for septic systems; and
- f. The type and amount of vegetation to be removed in order to accomplish the enlargement, reconstruction or replacement.

Sec. 4. Nonconforming uses.

- (f) *Replacement of nonconforming use.* A nonconforming use which is damaged or destroyed by fire, flood, lightning, wind, structural failure or other cause to an extent less than 80 percent of the market value of the structure at the time of such damage or destruction may be reconstructed, as it existed; The reconstructed use need not comply with the space and bulk regulations of the district in which it is located, Article VI, Section 2, or Article XII, Section 17(d), but shall be the same size or less than the previous structure, and the intensity of use shall not be made more nonconforming.

but if the damage equals or exceeds A nonconforming use, other than a single-family detached dwelling, two-family dwelling, or three-unit multifamily dwelling, that is damaged or destroyed by fire, flood, lightning, wind, structural failure or any other cause to an extent of 80 percent or more of the market value, it may be reconstructed, upon the receipt of development approval and a building permit, only in full conformance with the space and bulk regulations of the district in which it is located. Any reconstruction of a nonconforming use shall be the same size or less than the previous structure, and the intensity of use shall not be increased. Any reconstruction permitted by this subsection shall be begun begin within one year and be completed within two years of the date of such damage or destruction. The board of appeals may extend the period for reconstruction upon a showing that work could not begin or be completed for reasons outside the control of the owner. The request to the board must be filed before the expiration of the applicable time and not more than a one year extension shall be granted.

A nonconforming use of a single-family detached dwelling, two-family dwelling or three-unit multifamily dwelling damaged or destroyed by fire, flood, lightning, wind, structural failure or other cause to an extent of 80 percent or more of the market value of the structure at the time of such damage or destruction may be reconstructed. The reconstructed use need not comply with the space and bulk regulations of the district in which it is located, Article VI, Section 2, or Article XII, Section 17(d), but shall be the same size or less than the previous use, and the intensity of use shall not be made more nonconforming. Any reconstruction permitted by this subsection shall be begun within one year and completed within two years of the date of such damage or destruction. The board of appeals may extend the period for reconstruction, upon a showing that work could not begin or be completed for reasons outside the control of the owner. The

request to the board must be filed before the expiration of the applicable time and not more than a one year extension shall be granted.

REASONS FOR PROPOSED AMENDMENTS

The purpose for these amendments is to allow for the division of lots that contain three or more principal structures in residential use constructed prior to the enactment of State Subdivision Law (i.e. September 23, 1971) limited to single-family detached dwellings, two-family dwellings, and three-unit multifamily dwellings. Currently, it is not possible to divide a number of such lots given use, space and bulk and parking standards. These amendments will permit the creation of lots that would not otherwise comply with space and bulk standards and where the principal residential structures would not otherwise satisfy space and bulk standards and/or parking requirements. These provisions primarily address the plight of a number of individual owners of single-family detached dwellings, two-family dwellings and three-unit multifamily dwellings situated on leased land whereby conventional financing is not available for either the purchase or maintenance of such real estate. These standards will in part serve to improve real estate in a number of locations throughout the City and will help address neighborhood deterioration. In addition, these provisions provide for a relaxation of existing standards that provide for the replacement of such principal residential structures that will be situated on nonconforming lots, nonconforming uses and uses that do not comply with parking provisions.

CONFORMANCE WITH COMPREHENSIVE PLAN

The City Council hereby determines that the changes to the Zoning and Land Use Code are in conformance with the Comprehensive Plan for the following reasons:

1. Enhance the image of Lewiston and its proud heritage by improving the gateways to the City, enhancing the visual quality of the riverfront and the canal system, and fostering the continued conversion of vacant space to productive reuses that will contribute to the revitalization of the entire Downtown and City (Historic Preservation, Goals, #3).
2. Encourage and promote safe, affordable, decent housing opportunities for all Lewiston citizens (Housing, Goals, #1).
3. Continue to allow a wide range of housing types in the Zoning and Land Use Code, and explore the need and feasibility of expanding the opportunity for the creation of single and two-family homes, multi-family housing, mixed-use housing, and mobile homes through code amendments and rezoning's (Housing, Policy 1, Strategy H1).

4. Continue to update the City Ordinances to better plan for growth and incorporate incentives for development which achieve important community goals including the prevention of "sprawl" (Long Range Planning, Policy 3).
5. Encourage and promote affordable, decent housing opportunities for all Lewiston citizens and continue to allow a diverse range of housing types in the community (Long Range Planning, Policy 5).

MEMORANDUM

TO: Mayor Robert E. Macdonald
Members of the City Council

FR: Gildace J. Arsenault, Director of Planning and Code Enforcement

RE: Franklin Property Trust, LLC Division of Land

DT: June 4, 2015

Background

On December 16, 2014, Franklin Property Trust, LLC (FT) and the City of Lewiston (City) entered into an agreement regarding the demolition of a number of dangerous buildings located wholly or partly on land owned by FT. In addition to these dangerous buildings, the agreement contained provisions for the subdivision of FT land. The agreement states that FT shall engage a surveyor and/or other consultants at its expense to prepare a plan of subdivision of the land. The plan shall be subject to municipal approval which shall not be unreasonably withheld or conditioned. The agreement also states that, if the City's current zoning ordinance does not permit subdivision pursuant to the plan or if the Planning Board denies FT's application, Code Enforcement and the City Administrator will propose an amendment to the City's zoning ordinance to allow the subdivision and will diligently pursue the adoption of such amendment.

At a March 10, 2015 workshop, the Council discussed the zoning and land use issues associated with the creation of individual house lots and some concern was expressed that most of the lots created would not satisfy one or more provisions of the Zoning and Land Use Code. Since that workshop, staff has evaluated the individual lots that would result from the division of Franklin Property Trust land. The evaluation was based on our municipal maps and assumptions were made as to the likely locations of the property lines for the individual homes.

Creation of Individual Parcels

Our Zoning and Land Use Code states that no division of land shall be made where any lot is smaller than the minimum size required for the district in which the lot is located or has less than the minimum required frontage, setback or yard space. The majority of the proposed individual house lots will not satisfy one or more of the minimum required space and bulk requirements (i.e. frontage, setbacks, yards, etc.).

Therefore, the first action needed in order to satisfy the FT/City agreement is to amend the Code to allow for the creation of new nonconforming lots to include nonconforming structures. We are preparing an amendment to accomplish this. That amendment will be drafted so as to limit its applicability so that it does not undermine our overall subdivision standards. For example, it may be limited only to situations existing before

the adoption of our subdivision standards and where multiple residential buildings are located on land in single ownership.

Non-Conforming Uses

Eight-eight (88) lots will be created with a combination of single family homes, two family homes, or three unit multifamily buildings. Seventy-eight (78) of these lots will be located in zoning districts (Mill District, Riverfront District, Neighborhood Conservation "A" District, Urban Enterprise District, and Community Business District) that do not permit the existing residential uses (i.e. nonconforming uses).

In accordance with our Code, a nonconforming use that is located in a structure that is damaged to an extent less than 80 percent of the market value of the structure may be reconstructed as it existed; but, if the damage equals or exceeds 80 percent of the market value, it may only be reconstructed, upon the receipt of development approval and a building permit, in full conformance with the space and bulk regulations of the district in which it is located. Any reconstruction of a nonconforming use must be no larger than the previous structure, and the intensity of use shall not be increased. Any reconstruction permitted must be begun within one year and be completed within two years of the date of the damage or destruction. The board of appeals may extend the period for reconstruction upon a showing that work could not begin or be completed for reasons outside the control of the owner.

We would propose an amendment that would eliminate the 80% standard, allowing any residence to be rebuilt in the same size and footprint that previously existed.

Nonconforming Lots

Nine (9) of the properties that will be created will be on lots that are nonconforming to such an extent that the homes, as a matter of right, will not be able to be replaced if damaged or destroyed to an extent that equals or exceeds eighty (80) percent of the market value.

Potential Remedy

Should the Council desire, a provision could be added to the Zoning and Land Use Code to provide by right an opportunity to replace the structure, again to the same size and footprint as previously existed. Any reconstruction would have to begin within one year and be completed within two years of the date of damage or destruction. It is my recommendation that any such provision be limited to single-family detached dwellings, two-family dwellings, and three unit multifamily dwellings since this provision would be applicable throughout the City.

These changes would basically allow any destroyed one, two, or three unit structure anywhere in the City to be rebuilt provided that it is no larger than the previous structure.

Mr. Hediger and I will be in attendance at the March 10, 2015 workshop to answer any questions that you may have.

MEMORANDUM

TO: Mayor Robert E. Macdonald
Members of the City Council

FR: Gildace J. Arsenault, Director of Planning and Code Enforcement

RE: Franklin Property Trust, LLC Division of Land

DT: June 11, 2015

Consistent with the Franklin Property Trust, LLC and the City of Lewiston agreement dated December 16, 2014, staff has prepared the requisite amendments to the Zoning and Land Use Code to permit the division of Franklin Property Trust land. If enacted, the proposed amendments will permit the division of lots that contain three or more principal structures in residential use constructed prior to the enactment of State Subdivision Law (i.e. September 23, 1971) limited to single-family detached dwellings, two-family dwellings, and three-unit multifamily dwellings. Currently, it is not possible to divide a number of such lots given use, space and bulk, and parking standards. These amendments will allow for the creation of lots that would not otherwise comply with space and bulk standards and where the principal residential structures would not otherwise satisfy space and bulk standards and/or parking requirements.

These provisions primarily address the plight of a number of individual owners of single-family detached dwellings, two-family dwellings and three-unit multifamily dwellings situated on leased land whereby conventional financing is not available for either the purchase or maintenance of such real estate. These standards will in part serve to improve real estate in a number of locations throughout the City and will help address neighborhood deterioration. In addition, these provisions provide for a relaxation of existing standards that regulate the replacement of such principal residential structures that will be situated on nonconforming lots, nonconforming uses, and uses that do not comply with parking provisions. As proposed, these amendments will be applicable throughout the community.

Staff will be in attendance at the June 16, 2015 Council meeting to address any questions that you may have.

Thank you.



*Franklin Property Trust Land - Lewiston, Maine

Legend

- Public Easements
- Franklin Land
- Zoning - Conditional
- Zoning Districts

*Map has been clipped to extents of all Franklin Property Land within City for clarity.



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Franklin Property Trust Land - Lewiston, Maine

Lincoln Steet/Merton Blvd & Sand Hill Road Properties

Zoning Districts and Flood Hazzard Areas

Legend

- Single Family and Accessory Structures on Franklin Property Land
- Two Family and Accessory Structures on Franklin Property Land
- Three Family and Accessory Structures on Franklin Property Land
- Non-Residential Use Buildings on Franklin Property Land

- Franklin Land
- Shoreland Zoning
- Zoning Districts
- Flood Zones A and AE

1 inch = 80 feet



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Franklin Property Trust Land - Lewiston, Maine Willow Circle Parcel Building Use and Topographic Map

Legend

- Single Family and Accessory Structures on Franklin Property Land
- Two Family and Accessory Structures on Franklin Property Land
- Three Family and Accessory Structures on Franklin Property Land
- Non-Residential Use Buildings on Franklin Property Land
- Franklin Land
- 10' Topo Contour
- 2' Topo Contour
- Public Easements



1 inch = 50 feet

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
	Franklin Property Trust: Land and Structures 06/04/2015														
1	ADDRESS	STNAME	ZONE	OWNER1	OWN_ADDR1	Conforming Lot	Non Conforming Lot	Rebuild as a matter of right?	Frontage	Lot Size (y/n)	Net Lot Area (y/n)	Setbacks (y/n)	Parking (V/N)	Use	Flood plain (y/n)
2	5	LINCOLN CIR	M	LAMBERT DENIS	5 LINCOLN CIRCLE	y	n	y/one year	25+	na	na	na	y	1 n	
3	10	LINCOLN CIR	M	URWIN ALBERT	10 LINCOLN CIRCLE	y	n	y/one year	25+	na	na	na	y	1 n	
4	3	LINCOLN CIR	M	CALABINE CONLON D	9089 GUINEA RD	y	n	y/one year	25+	na	na	na	y	2 n	
5	1	LINCOLN CIR	M	PARKER BERNARD J	1 LINCOLN CIRCLE	y	n	y/one year	25+	na	na	na	y	2 n	
6	5	LINCOLN DR	M	POISSONNIER RICHARD	5 LINCOLN DRIVE	y w/7 Lincoln Dr	n	y	25+	na	na	na	y	3 y	
7	1	LINCOLN DR	M	MACDONALD KARIN	1 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 n	
8	3	LINCOLN DR	M	CURT BRENDA S	3 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 y	
9	37	LINCOLN DR	M	SAMSON CHRISTIE	37 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 y	
10	35	LINCOLN DR	M	JACOBSEN ROBIN T	C/O MICHAEL & SANDRA JOLY	y	n	y/one year	25+	na	na	na	y	1 y	
11	33	LINCOLN DR	M	GRAVEL HECTOR	33 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 y	
12	31	LINCOLN DR	M	SMITH JEANNINE L	31 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 y	
13	27	LINCOLN DR	M	GAGNON JEAN PAUL RENE	27 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 y	
14	25	LINCOLN DR	M	VVE RICHARD M	25 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 y	
15	23	LINCOLN DR	M	POULIN ROGER HENRY JR	23 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 y	
16	15	LINCOLN DR	M	JAMES DAPHNE	15 LINCOLN DRIVE	y	n	y/one year	25+	na	na	na	y	1 n	
17	248	LINCOLN ST	M	M & L REAL ESTATE LLC	10 S BRANCH DRIVE	y	n	Demolition of house	25+	na	na	na	y	1 n	
18	230	LINCOLN ST	M	BURNS GERALD C	290 MAINE ST	y	n	n	25+	na	na	na	n	1 n	
19	242	LINCOLN ST	M	MCKEONE DANIEL	242 LINCOLN ST	y	n	n	25+	na	na	na	n	1 n	
20	236	LINCOLN ST	M	O'DONNELL ANDREA M	C/O MARK CHARETTE/DONNA BEAR	n	y	n	<25	na	na	na	n	1 n	
21	234	LINCOLN ST	M	LEMAY NORMAND A	234 LINCOLN ST	y	n	n	25+	na	na	na	n	1 n	
22	232	LINCOLN ST	M	LEMIEUX DENNIS G	232 LINCOLN ST	y	n	n	25+	na	na	na	n	2 n	
23	244	LINCOLN ST	M	RAY CORPORATION	571 SABATTUS ST STE 1	y	n	n	25+	na	na	na	n	2 n	
24	280	LINCOLN ST	M	RAY CORPORATION	571 SABATTUS ST STE 1	y	n	y	25+	na	na	na	n	3 y	
25	252	LINCOLN ST	M	WELLS JOSEPH	252 LINCOLN ST	y	n	y/one year	25+	na	na	na	y	1 n	
26	250	LINCOLN ST	M	ECLES RICK	250 LINCOLN ST	y w/ 248 Lincoln	n	y/one year	25+	na	na	na	y	1 n	
27	246	LINCOLN ST	M	BAZINET DOROTHY	32 EATON ST	y w/248 Lincoln	n	y/one year	25+	na	na	na	y	1 n	
28	270	LINCOLN ST	M	MORIN JOHN E	19 WOODFIELD DRIVE	y	n	y/one year	25+	na	na	na	y	1 y	
29	272	LINCOLN ST	M	ST-HILAIRE JOAN J	272 LINCOLN ST	y	n	y/one year	25+	na	na	na	y	1 y	
30	274	LINCOLN ST	M	GAGNON ARTHUR E	274 LINCOLN ST	y	n	y/one year	25+	na	na	na	y	1 y	
31	276	LINCOLN ST	M	MONTMINY RACHEL A	276 LINCOLN ST	y	n	y/one year	25+	na	na	na	y	1 y	
32	268	LINCOLN ST	M	MESSEUR GERARD	268 LINCOLN ST	y	n	y/one year	25+	na	na	na	y	1 n	
33	267	LINCOLN ST	RF	FOURNIER REAL HEIRS	171 OXFORD ST	n but combine with y	y	Demolition of garage	none	na	na	na	na	0 y	
34	245	LINCOLN ST	RF	COURTENAY LISA	70 BROAD ST	y	n	Demolition of house	none	na	na	na	na	1 y	
35	233	LINCOLN ST	RF	PRATT APRIL	11 BROOKSIDE MOBILE HOME PRK	y	n	Demolition of house	none	na	na	na	na	1 y	
36	229	LINCOLN ST	RF	HIGGINS JEFF	1248 SABATTUS ST	n	y	n	<50	n	na	n	n	2 y	
37	253	LINCOLN ST	RF	LINCOLN FUND TRUST	571 SABATTUS ST STE 1	n	y	n	50+	y	n	y	n	3 y	
38	263	LINCOLN ST	RF	FRANKLIN PROPERTY TRUST	P O BOX 7	n	y	n	25+	n	na	na	na	0 y	
39	257	LINCOLN ST	RF	DEGRAFF SHAWN C	229 ROWE STATION RD	n	y	na; part of 263 Lincoln with dwelling	25+	n	na	na	y	1 y	
40	235	LINCOLN ST	RF	GAUTHIER DENISE C	P O BOX 2455	y w/243 & 245	n	y/one year	50+	n	na	y	y	1 y	
41	231	LINCOLN ST	RF	PARENT ROMEO JR	212 POND RD	y w/233 Lincoln	n	y/one year	50+	y	na	y	y	1 y	
42	249	LINCOLN ST	RF	MCWILLIAMS RICHARD	C/O SHAWN & KRISTINE COLLINS	y w/251 Lincoln	n	y/one year	50+	y	na	y	y	1 y	
43	243	LINCOLN ST	RF	GAUTHIER DENISE C	P O BOX 2455	y w/245 Lincoln	n	y/one year	50+	y	na	y	y	1 y	
44	291	LINCOLN ST	RF	MATHIEU RAYMOND D	55 FISHER AVE	y w/245 Lincoln	n	y/one year	50+	n	na	y	y	1 y	
45	283	LINCOLN ST	RF	MAILHOT DONALD G	283 LINCOLN ST	n	y	y/one year	50+	n	na	y	y	1 y	
46	277	LINCOLN ST	RF	POLQUIN FRANCOISE B	277 LINCOLN ST	n	y	y/one year	50+	n	na	y	y	1 y	
47	271	LINCOLN ST	RF	WHITTIER ROBERT N	271 LINCOLN ST	n	y	y/one year	50+	n	na	y	y	1 y	
48	267	LINCOLN ST	RF	TREMBLAY CHAD N	267 1/2 LINCOLN ST	n	y	y/one year	25+	n	na	y	y	1 y	
49	261	LINCOLN ST	RF	HOWHANNESIAN RALPH	348 ROUND THE POND RD	n	y	y/one year	25+	n	na	y	y	1 y	
50	279	LINCOLN ST	RF	MATHON JACQUELINE T	279 LINCOLN ST	n	y	y/one year	50+	n	na	y	y	2 y	
51	247	LINCOLN ST	RF	COLLINS SHAWN	247 LINCOLN ST	y w/245 Lincoln	n	y/one year	50+	y	na	y	y	2 y	
52	263	LINCOLN ST	RF	RICKARDS FERN	263 LINCOLN ST	n	y	y/one year	25+	n	na	y	y	2 y	
53	390	LINCOLN ST	UE	IVY WAYNE J	137 HOWE ST	n	y	Demolition of house	25+	n	na	y	y	1 n	
54	398	LINCOLN ST	UE	CUMMINGS PEGGY A	69 LINCOLN ST APT 12	y w/10 Merton	n	Demolition of house	100+	y	na	na	na	1 n	
55	372	LINCOLN ST	UE	ROGERS TAMMY M	403 WHITE OAK HILL RD	y	n	y/one year	100+	y	na	y	y	1 y	
56	386	LINCOLN ST	UE	NADEAU DEBORAH	386 LINCOLN ST	y	n	y/one year	100+	y	na	y	y	1 n	
57	420	LINCOLN ST	UE	TURMENNE MATTHEW	19 MERTON BLVD	y	n	y/one year	100+	y	na	y	y	1 n	
58	394	LINCOLN ST	UE	BOULET DANIEL J	394 LINCOLN ST	y/w 390 Lincoln	n	y/one year	100+	y	na	y	y	1 n	
59	408	LINCOLN ST	UE	MONGEAU JEANNE B	9 MERTON BLVD	y	n	y/one year	100+	y	na	y	y	1 n	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	Franklin Property Trust: Land and Structures 06/04/2015														
2	ADDRNO	STNAME	ZONE	OWNER1	OWN_ADDR1	Conforming Lot	Non Conforming Lot	Rebuild as a matter of right?	Frontage	Lot Size (y/n)	Net Lot Area (y/n)	Setbacks (y/n)	Parking (Y/N)	Use	Flood plain (y/n)
61	440	LINCOLN ST	UE	MATHIEU RAYMOND D	55 FISHER AVE	Y	N	Y/one year	100+	Y	na	n	Y	2 Y	
62	8	LINCOLN TERR	M	ST-PIERRE RICHARD	8 LINCOLN TERRACE	Y	N	Y/one year	25+	na	na	na	Y	1 Y	
63	769	USBON ST	NCA	KOWALSKY REALTY LLC	9 COOT LN	Y	N	Y	75+	Y	na	Y	Y	1 Y	
64	12	LOCUST ST	M	MESSEVIER NORMAND W	12 LOCUST ST	Y	N	Y	25+	na	na	na	Y	1 Y	
65	18	LOCUST ST	M	MESSEVIER ARMAND R	18 LOCUST ST	Y	N	Y/one year	25+	na	na	na	Y	1 n	
66	8	LOCUST ST	M	VEILLEUX ROBERT	8 LOCUST ST	Y	N	Y/one year	25+	na	na	na	Y	1 n	
67	10	MERTON BLVD	UE	MONGEAU JEANNE B	9 MERTON BLVD	Y/w 398 Lincoln	N	n	50+	n	na	n	Y	1 n	
68	8	MERTON BLVD	UE	GIASSON GLEN	8 MERTON BLVD	N	Y	Y/one year	50+	Y	na	n	Y	1 n	
69	2	MERTON BLVD	UE	WILLIAMS EDWARD	63 JOCELYN ST	N	Y	Y/one year	50+	Y	na	n	Y	1 n	
70	12	MERTON BLVD	UE	MORIN JOHN E	19 WOODFIELD DRIVE	N	Y	Y/one year	50+	n	na	n	Y	1 n	
71	4	MERTON BLVD	UE	GREGOIRE GUY	4 MERTON BLVD	Y	N	Y/one year	100+	Y	na	n	Y	1 n	
72	17	MERTON BLVD	UE	ARTHUR PATRICK S	817 ALLEN POND RD	Y	N	Y/one year	100+	Y	na	n	Y	1 n	
73	18	MERTON BLVD	UE	BERNIER THERESA M	18 MERTON BLVD	N	Y	Y/one year	50+	Y	na	n	Y	1 n	
74	14	MERTON BLVD	UE	PARADIS CHAD	1092 SABATTUS ST	N	Y	Y/one year	50+	n	na	n	Y	1 n	
75	16	MERTON BLVD	UE	ARTHUR PATRICK S	817 ALLEN POND RD	N	Y	Y/one year	50+	n	na	n	Y	1 n	
76	15	MERTON BLVD	UE	MORRISSETTE KEVIN	15 MERTON BLVD	Y	N	Y/one year	100+	Y	na	n	Y	1 n	
77	66	RIVER ST	RF	CASTONGUAY GERARD	30 BRADLEY ST APT 1	n but combine with y	N	Demolition of garage	none	n; lot to be mer na	na	na	na	0 Y	
78	68	RIVER ST	RF	TREMBLAY DONALD	267 1/2 LINCOLN ST	n but combine with y	N	Demolition of garage	none	n; lot to be mer na	na	na	na	0 Y	
79	78	RIVER ST	RF	DUMAIS THERESE	2056 N MOBILE ESTATES DRIVE	n but combine with y	N	Y/one year	25+	n	Y	Y	Y	0 Y	
80	25	SAND HILL RD	CB	LECOMTE RENE	C/O DAVID LECOMTE	N	Y	Y/one year	25+	n	na	Y	Y	1 Y	
81	25	SAND HILL RD	CB	GENDRON SYLVAIN	25 SAND HILL RD	N	Y	Y/one year	<100	Y	na	Y	Y	1 n	
82	28	SAND HILL RD	CB	HARTFORD JOSEPH	28 SAND HILL RD	N	Y	Y/one year	<100	Y	na	Y	Y	1 n	
83	26	SAND HILL RD	CB	BUSSIERE ARTHUR P	26 SAND HILL RD	Y	N	Y/one year	100+	Y	na	Y	Y	1 n	
84	23	SAND HILL RD	NCA	FLEURY RAYMOND L	23 SAND HILL RD	Y	N	Y	75+	Y	na	n	Y	1 n	
85	21	SAND HILL RD	NCA	SMITH MICHAEL	21 SAND HILL RD	Y	N	Y	75+	Y	na	Y	Y	1 n	
86	17	SAND HILL RD	NCA	LEBLANC CAROL	17 SAND HILL RD	Y	N	Y	75+	Y	na	Y	Y	1 n	
87	15	SAND HILL RD	NCA	GENDRON JAMES C	15 SAND HILL RD	Y	N	Y	75+	Y	na	Y	Y	1 n	
88	11	SAND HILL RD	NCA	POISSON DONALD	P O BOX 7799	Y	N	Y	75+	Y	na	Y	Y	1 n	
89	9	SAND HILL RD	NCA	POISSON DONALD	P O BOX 7799	Y	N	Y	75+	Y	na	Y	Y	1 n	
90	2	SAND HILL RD	NCA	THIBAUT JOLINE	50 SYLVAN AVE	Y	N	Y	75+	Y	na	Y	Y	1 n	
91	3	SAND HILL RD	NCA	WILLIAMS ANITA	3 SAND HILL RD	Y	N	Y	75+	Y	na	Y	Y	1 n	
92	7	SAND HILL RD	UE	LABBE GERARD L	7 SAND HILL RD	N	Y	Y/one year	none	n	na	Y	Y	1 n	
93	5	SAND HILL RD	UE	TREMBLAY MATTHEW	5 SAND HILL RD	Y	N	Y/one year	75+	Y	na	Y	Y	1 n	
94	2	SUMMER ST	UE	TIBBETT MARY	42 BRACKETT ST APT 2	Y	N	Y/demolition of house	50'	Y	Y	Y	Y	1 Y	
95	7	WILLOW CIR	UE	LABRIE DEBORAH J	P O BOX 8223	Y	N	Demolition	50'	Y	Y	Y	Y	1 Y	
96	9	WILLOW CIR	UE	SMITH JACQUELINE	9 WILLOW CIRCLE	Y	N	Y/one year	100+	Y	na	Y	Y	1 n	
97	6	WILLOW CIR	UE	LABRIE SHIRLEY D	6 WILLOW CIRCLE	Y	N	Y/one year	100+	Y	na	Y	Y	1 n	
98	4	WILLOW CIR	UE	DODSON DARREN	4 WILLOW CIRCLE	Y	N	Y/one year	100+	Y	na	Y	Y	1 n	
99	5	WILLOW CIR	UE	TOUCHETTE LORI-ANN	5 WILLOW CIRCLE	Y	N	Y/one year	100+	Y	na	Y	Y	1 n	
100	8	WILLOW CIR	UE	CHABOT PAUL J	83 SPRAGUE MILLS RD	Y	N	Y/one year	100+	Y	na	Y	Y	1 n	
101															
102	GREEN=rebuild as a matter of right														
103	YELLOW=demolition														
104	PINK=can not be rebuilt as a matter of right														



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: July 2, 2015
RE: July 13, 2015 Planning Board Agenda Item V(a)

Acquisition of 2 and 26 Oxford Street

This item was continued from the Board's June 22, 2015 meeting. At that time, the Board requested that staff come back with additional information on source of funding, cost associated to develop site parking, and an analysis/pro forma of what could this property provide if utilized for parking. Director of Economic and Community Development, Lincoln Jeffers will provide an update at the meeting.

ACTION NECESSARY:

- Make a motion pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for the acquisition of 2 and 26 Oxford Street (subject to possible conditions raised by staff or the Planning Board).

Economic and Community Development

Lincoln Jeffers

Director



To: Lewiston Planning Board
From: Lincoln Jeffers
RE: Recommendation for Acquisition of 2 and 26 Oxford Street
Date: June 17, 2016

The owner of 2 and 26 Oxford Street has made the city aware of his desire to sell the property. As required by code, the Planning Board is being asked to make a recommendation to the City Council regarding the City's contemplated acquisition of the real estate.

For the last 15 years the building at 2 Oxford Street has been leased to Carquest Auto Parts. That Carquest franchise recently merged with a local Advance Auto Parts store and the Oxford Street store is now vacant. 26 Oxford Street is a vacant lot abutting 2 Oxford Street. Maps are attached.

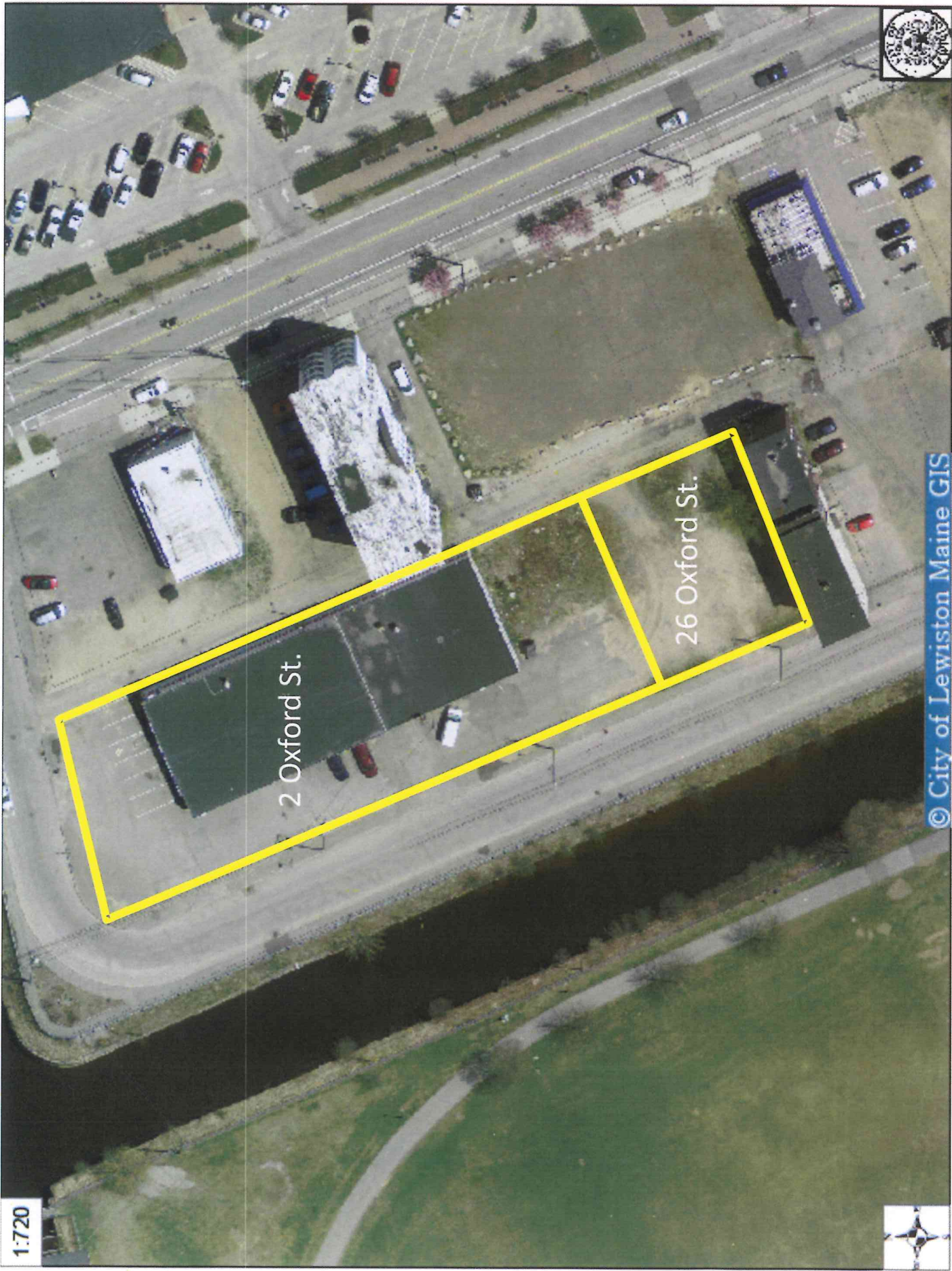
The assessed value of 2 Oxford Street is \$298,020 (building \$237,070/land \$60,950). The assessed value of 26 Oxford Street is \$24,380. The total combined assessed value for the two parcels is \$322,400; the combined acreage is .6548. The owner indicated he plans to list the properties for sale for \$400,000 but agreed not to list the property with a broker until the City considered acquiring it.

This real estate is in the heart of Riverfront Island. That plan called for the site to be redeveloped with infill housing and mixed use buildings. Acquisition would allow the city to define the character of the redevelopment of that area of the city. In the shorter term the real estate can be used as surface parking to help meet parking demand as Bates and other Riverfront Island area mills are redeveloped; delaying or reducing the need for decked parking. In the longer term the site could be redeveloped as envisioned in the Riverfront Island Master Plan.

As the attached map shows, the city owns several other parcels abutting this real estate. The 2008 City Council approved acquisition of 75 and 87 Lincoln Street for a combined purchase price of \$314,000. The properties were acquired to remove blight and to land bank in hopes of being able to exert some influence over redevelopment of the area. This acquisition would build upon that 2008 action.

A sales price for the two parcels has been negotiated. If the Planning Board wants to know the price I will share it in Executive Session, but until acquisition of this parcel is before the Council for action the price needs to remain confidential so as not to adversely impact the seller if the city decides not to buy the land. Norm Beauparlant has estimated demolition and disposal costs at \$22,000 – \$28,000.

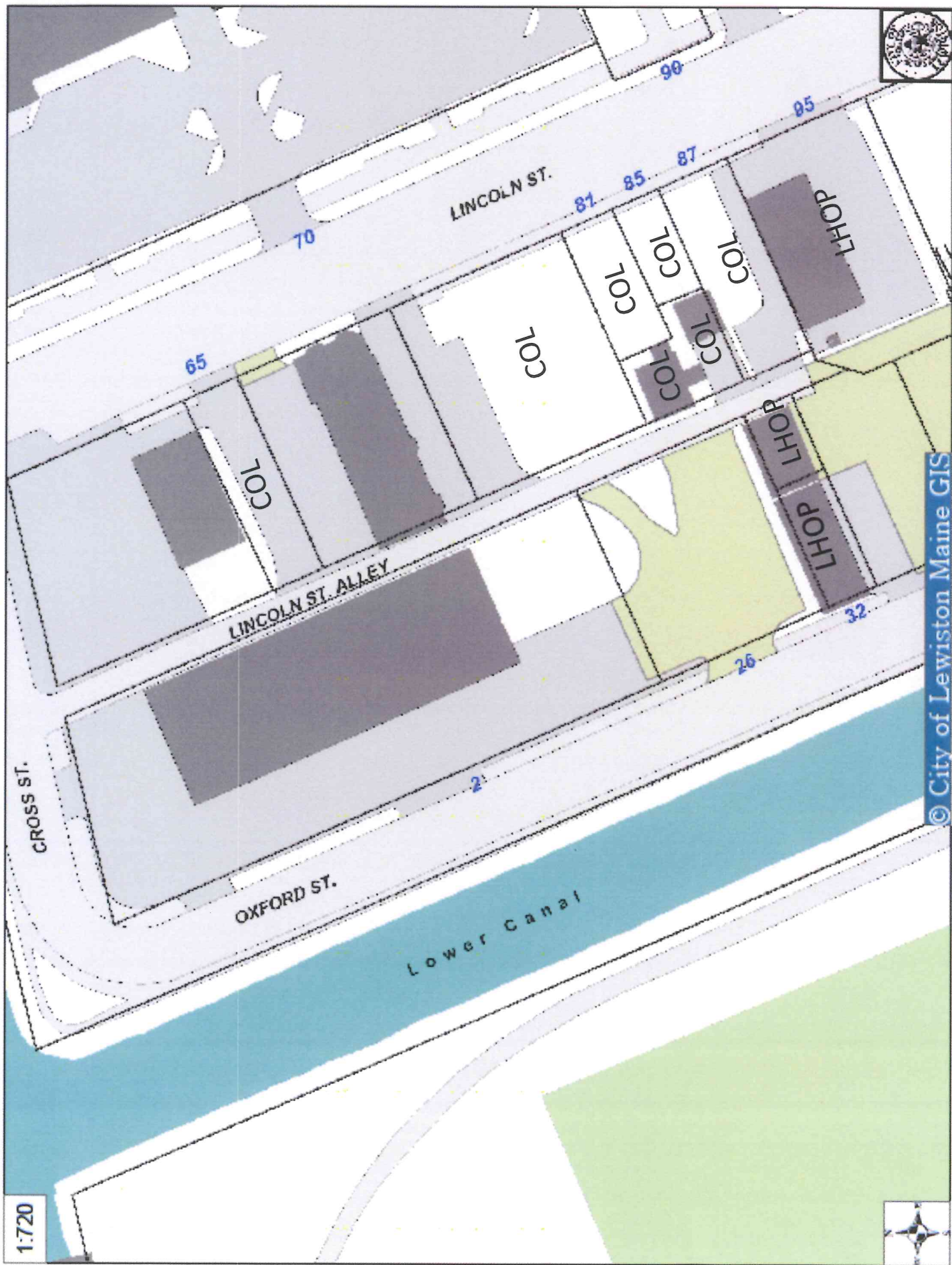
I will be in attendance at the June 22nd Planning Board for discussion on this request.



1:720



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Economic and Community Development

Lincoln Jeffers

Director



To: Planning Board
From: Lincoln Jeffers
RE: Acquisition of 2 and 26 Oxford Street
Date: July 8, 2015

After a presentation and discussion at their June 22nd meeting the Planning Board continued discussion and the making of a recommendation to the City Council regarding the proposed acquisition by the City of 2 and 26 Oxford Street to the July 13th Planning Board meeting. Following is a brief recap of the proposal, along with answers to questions posed by the Planning Board at the June 22nd meeting.

The owner of 2 and 26 Oxford Street has made the city aware of his desire to sell the property. This was prompted by a recent vacancy at 2 Oxford Street, which for the last 15 years had been leased to Carquest Auto Parts. That Carquest franchise recently merged with a local Advance Auto Parts store and the Oxford Street store is now vacant. 26 Oxford Street is a vacant lot abutting 2 Oxford Street. A map is attached.

The assessed value of 2 Oxford Street is \$298,020 (building \$237,070/land \$60,950). The assessed value of 26 Oxford Street is \$24,380. The total combined assessed value for the two parcels is \$322,400; the combined acreage is .6548.

City staff has negotiated a total purchase price for the two parcels of \$315,000.

Norm Beauparlant has estimated demolition costs at between \$22,200 and \$28,000.

Heather Hunter has identified Bates Mill redevelopment sources of funds totaling \$322,745 for transfer of funds to the acquisition/demolition account for this purchase. They are \$147,485 that the city received in roof insurance for Bates Mill #5; a \$50,000 option payment made by the group promoting a casino at the mill; and \$125,260 in accumulated investment earnings from Bates Mill operating subsidies and projects.

Public Works Director Dave Jones has provided a preliminary cost estimate of \$85,000 to engineer, pave, light, and landscape the two lots, creating a total of 80 surface parking spaces.

Attached is a proforma that shows current taxes generated by the lot, which would be lost under city ownership. It is worth noting that the assessed valuation on the building, vacant, would likely diminish from what is shown. The proforma also shows the parking revenue that would be generated on the lot if occupied at a 60% utilization level with users paying the current long term annual rate of \$50 per month if the \$600 annual rent is paid in 3 installments. The proforma shows parking revenue generated will exceed taxes currently generated. It is worth noting that if mill redevelopment moves forward as projected in the Riverfront Plan, parking utilization will likely exceed 60%; increasing revenues to the city.

This real estate is in the heart of Riverfront Island. That plan called for the site to be redeveloped with infill housing and mixed use buildings. Acquisition would allow the city to define the character of the redevelopment of that area of the city. In the shorter term the real estate can be used as surface parking to help meet parking demand as Bates and other Riverfront Island area mills are redeveloped; delaying or reducing the need for decked parking. In the longer term the site could be redeveloped as envisioned in the Riverfront Island Master Plan.

City staff recommends that the Planning Board send a positive recommendation to the City Council regarding acquisition of 2 and 26 Oxford Street. Acquisition of the real estate will support both short and long term goals of the Riverfront Island Master Plan.

The City Council is scheduled to take action on this acquisition at their July 14th meeting.



1.720



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Redevelopment of 2 and 26 Oxford Street into 80 Space Parking Lot

Proforma

			Taxes	Revenue (1)				
Year	Current AV		<u>0.02737</u>		48 spaces	Difference	Debt (2)	Net to City
1	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 11,263	\$ 8,713
2	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 10,986	\$ 8,990
3	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 10,710	\$ 9,266
4	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 10,434	\$ 9,542
5	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 10,158	\$ 9,818
6	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 9,881	\$ 10,095
7	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 9,605	\$ 10,371
8	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 9,329	\$ 10,647
9	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 9,053	\$ 10,923
10	\$ 322,400	\$	8,824	\$	28,800	\$ 19,976	\$ 8,776	\$ 11,200
		\$	88,241					\$ 99,565

(1) Revenues on 80 spaces at 60% occupancy at the rate of \$50 per month

(2) Serial Debt on \$ 85,000 for 10 years @ 3.25% interest



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: July 2, 2015
RE: July 13, 2015 Planning Board Agenda Item V(b)

Discussion regard dormitories: permitted of conditional use

The Board voted 4-1-2 on June 29th to send a favorable recommendation for the City Council's consideration for an amendment to the Zoning and Land Use Code submitted by Robert Faunce on behalf of Lionel and Dianne Rodrigue to amend Article II. Definitions and Article XI. District Regulations, to allow dormitories affiliated with an educational institution or a sports organization as a permitted use in the Highway Business (HB) district.

This favorable vote was in part to be supportive of the petitioners request and to not further delay their proposed improvements at Westminster Street. However, discussion followed as to whether dormitories should be allowed as a conditional versus a permitted use in the HB district. A couple of the Planning Board members expressed concern that allowing dormitories as permitted use versus a conditional use does not provide an additional level of review that may be warranted to avoid a dormitory from potentially having an adverse impact on abutting property owners. A couple members questioned whether other locations in the HB district may warrant the additional review required of a conditional use. The Board agreed that whether dormitories should be regulated as permitted or conditional use in the HB warrants more discussion and they requested the matter be scheduled for their next meeting on July 13th.

It should be noted that on June 30, 2015 the City Council voted unanimously in support of the Planning Board's recommendation to adopt the proposed amendment at their first reading. The Council is scheduled to vote on the second and final reading of the amendment at their July 14, 2015 meeting.